IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET
APPEAL FROM ORDER ST.NO.31104 OF 1990

.....

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	**Court's or Judge's orders**

.....

Ms Geeta Jogleker for B.M.C.

CORAM: A.S.OKA, J.
DATE : JUNE 4,2007.

P.C.:

1. Heard learned Advocate for the Appellant. The challenge in this Appeal from Order is to the Judgment and Order dated 28th August 1990 passed on a Notice of Motion for temporary injunction. Respondent Nos.1 to 3 are the original Plaintiffs who had taken out the Notice of Motion on which impugned order has been passed. There was a delay in filing this Appeal. Application for condonation of delay was dismissed in the year 1999 as against the Respondent Nos.1 to 3. Therefore, Appeal cannot survive as the impugned order has been passed on the Notice of Motion taken out by the Respondent Nos.1 to 3. Accordingly, Appeal is dismissed with no order as to

costs.

2. If the suit is pending, it is made clear that all contentions of the parties on the merits of the suit are expressly kept open.

JUDGE